

REMARKS

Entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested because it complies with a requirement of form set forth in a previous Office Action and presents the claims in better form for consideration on appeal. No new matter is believed to be added to the application by this Amendment.

Status of the Claims

Claims 1-12 are pending in the application and stand rejected. The amendment to claim 12 better sets forth the claim's dependency.

Objection to Claim 12

The Examiner objects to claim 12 as being more properly dependent upon claim 7. The Examiner's comments have been considered. Claim 12 has been amended to depend upon claim 7.

Rejections Under 35 U.S.C. 103(a) Based Upon Hong

Claims 1-5, and 7-11 are rejected under 35 U.S.C. §103(a) as being obvious over Hong (U.S. Patent 6,172,733) in view of Kim (U.S. Patent 6,048,783). Claims 6 and 12 are rejected 35 U.S.C. §103(a) as being obvious over Hong (as applied to claims 1, 7 and 11) in view of Kaneko (U.S. Patent 6,404,473). Applicant traverses.

The Hong patent is only available as prior art under 35 U.S.C. §103(a) because of its 35 U.S.C. §102(e) filing date of September 2, 1998.

Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention "were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." See 35 U.S.C. §103(c).

The present application was filed December 22, 2000. Applicant respectfully submits that the present application and the Hong patent were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same organization, LG. Philips LCD Co. Ltd.

Because the present application was filed after November 29, 1999, and common ownership of the Hong patent and the present application has been established, the Hong patent is disqualified from the available prior art under 35 U.S.C. §103, thereby automatically overcoming the rejection under 35 U.S.C. §103(a).

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

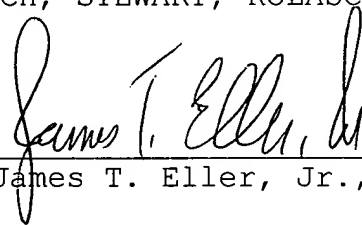
Attached hereto is a marked-up version of the changes made to the application by this Amendment.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


James T. Eller, Jr., #39,538

JTE/REG:jls
3430-0161P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Version with Markings to Show Changes Made

(Rev. 02/20/02)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

12. (Twice Amended) The array substrate of [claim 11,] claim 7, wherein the electrode line has first, second and third metal layers of a three-layered structure, and a side portion of the second metal layer protrudes beyond side portions of the first and third metal layers.